

ARIZONA CODE OF JUDICIAL ADMINISTRATION

# Proposal Cover Sheet

Part 1: Judicial Branch of Administration

Chapter 6: Records

Section 1-602: Digital Recording of Court Proceedings

1. **Effect of the proposal:** The initial issue of the document specifies an annual review by Commission on Technology. Changes are being proposed as a result of a recent review. Most changes are editorial in nature. Three areas of note include addition of a system check requirement, increased detail regarding responsibilities of the court's transcript coordinator, and explicit statement that the audio record shall be the official source for a transcript in the absence of a certified court reporter.
2. **Significant new or changed provisions:**
  - Adds system check requirements matching those used in ACJA 5-208 (Interactive Audiovisual Proceedings).
  - Adds "format" to the existing list of requirements elaborated in ACJA §§1-504 and 1-506. Digital recording technology used must be capable of outputting a non-proprietary format, according to ACJA § 1-506(D)(5)(b). All products reported in information technology strategic plans today meet the format requirement.
  - Alleviates any misunderstanding by explicitly stating the condition in which the electronic recording acts as the official record. This complements the Supreme Court Rule 30(b)(4) statement of when the court reporter records acts as the official record.
  - Specifies that the transcript coordinator in the court provides recordings to the authorized transcribers. Defines authorized transcribers as in SCR 30.
  - Changes the review frequency for the code section from "once a year" to "periodically" now that the technology and related practices have matured.
- **Committee actions and comments:** Staff performed the initial review, solicited changes from subject matter experts, and returned changes to COT. Members revised some language and authorized posting of the proposed revisions on the ACJA Web Forum for comments. Members of LJC, COSC, the Clerk's Association, the Superior Court Administrators Association, and LJCAA were encouraged to comment on specific issues from November 24<sup>th</sup>, 2012 through February 4<sup>th</sup>, 2013 using the AJCA Web Forum. A total of three comments were received of which one was addressed by changes to the proposed language. One comment was a question about the meaning of text that was stricken and the other was a request to emphasize the scope of the requirements as being for official court records only.
- **Controversial issues:** None. The technology used for digital recording has proven to be very stable; updates provide best business practices that have evolved over the six years of the document's existence.
- **Recommendation:** Recommend approval of the proposed changes to the document.